

REMARKS

Claims 1-28 are pending in this application. By this response, claims 1, 3, 9-10, 14 and 22 have been amended and new claim 28 has been added. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, the Examiner indicates that claims 1-8 and 18-27 are allowable and that claims 10-14 and 17 would be allowable if rewritten in independent form. Applicant appreciates the indication of allowable subject matter.

By this response, Applicant has amended claims 1, 3, 14 and 22 to recite, *inter alia*, a “hanging support” instead of “hanging rod”, and “an inner portion” instead of a “center portion”. Applicant submits that this amendment is proper and that no new matter has been added. Further, Applicant submits that the claims remain patentable over the cited art.

In the Office Action, the Office rejects claim 9 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,305,937 (Barnett). In response, Applicant has amended claim 9 to incorporate some of the features previously recited by allowable claim 10. Interpreting Barnett only for purposes of this response, Applicant submits that Barnett fails to disclose, *inter alia*, a web tear plate attached proximate to the first elongate aperture, wherein the web tear plate includes a web tear plate abrasive to assist in tearing and holding the dispensed paper product. In sharp contrast, Barnett merely discloses a serrated cutter, which is not an abrasive and does not assist in holding the dispensed paper product. Accordingly, Applicant submits that Barnett fails to disclose each and every element of claim 9 and respectfully requests withdrawal of the rejection.

Further, the Office rejects claim 15 under U.S.C. § 103(a) as allegedly being unpatentable over Barnett as above and further in view of Harris (U.S. Patent No. 4,124,259); and the Office

rejects claim 16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Barnett in view of Harris as above and further in view of Danzi (U.S. Patent No. 5,301,888). With respect to claims 15-16, Applicant herein incorporates the arguments presented above with respect to the independent claim 9 from which the claims depend. Additionally, Applicant notes that the inclusion of Harris and/or Danzi even if, *arguendo*, proper, fails to overcome the deficiencies of claim 9 discussed above. As a result, Applicant respectfully submits that claims 15-16 are allowable based on the above arguments, as well as for their own additional features.

Applicant respectfully submits that the Application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,

/Darrell L. Pogue/

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